

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

AZURE DEVELOPMENT, INC.

Debtor.

Case No. 23-00462 (ESL)

Chapter 11

NOTICE OF INTENT TO RESPOND TO DEBTOR'S MOTION TO STRIKE

TO THE HONORABLE ENRIQUE S. LAMOUTTE INCLÁN
UNITED STATES BANKRUPTCY JUDGE:

COMES NOW secured creditor Triangle Cayman Asset Company (“Triangle”), by its undersigned counsel, and respectfully states as follows:

1. On May 31, 2023, Triangle filed a *Motion to Inform Statement of Congresswoman Nydia Velazquez Regarding the Debtor's Allegations on Efforts to Obtain Permits* (the “Motion”). Docket No. 82.

2. On June 2, 2023, Debtor filed a *Motion to Strike* not only requesting that Triangle's Motion be stricken from the record, but also requesting this Court orders the imposition of sanctions on Triangle. Docket No. 88.

3. It is incredible that the Debtor would want to strike and thus not have the Court consider a written statement made by a United States Congresswoman directly addressing, and specifically describing as “false”, written allegations that the Debtor made to this Court. In fact, the *Motion to Strike* admits that the Debtor's previous allegations were indeed false when made, as the Debtor, in the Motion to Strike, now concedes that it in fact never contacted the Congresswomen's office. Thus, there is no question now that the Debtor did indeed mislead the Court.

4. Further, the statement from the Congresswomen – which Triangle did not have and was not aware of at the time of the hearing on the Motion to Dismiss – is easily verifiable and authenticated, as it is included in United States Congresswoman Nydia Velazquez’ official Twitter account. If the Debtor is concerned as to its accuracy, the Debtor can access such site and verify its contents and statements.

5. The Motion to Strike is a meritless attempt to try to have the Court ignore that the Debtor did in fact mislead the Court and that it did not conduct the reasonable inquiry and due diligence required prior to making written allegations before a Court. The Motion to Strike is thus unfounded for many reasons and Triangle intends to respond to the same. Accordingly, Triangle respectfully requests that the Court notes that it is Triangle’s intent to file a response to the *Motion to Strike* on or before June 19, 2023, which is the period allowed by Local Rule 7(b) to respond.

6. Specifically, pursuant to Local Rule 7(b), a party opposing a motion may file a written objection within fourteen (14) days of service of the motion. L. Civ. R. 7(b).

WHEREFORE, Triangle respectfully requests that the Court take notice that Triangle intends to respond to the Motion to Strike by June 19, 2023.

RESPECTFULLY SUBMITTED.

San Juan, Puerto Rico, on June 5, 2023.

WE HEREBY CERTIFY that on this same date we filed this document using the CM/ECF filing system, which will send a copy to all counsel of record.

M | P | M MARINI PIETRANTONI MUÑIZ LLC
Attorneys for Triangle Cayman Asset Company
250 Ponce de Leon Ave. Suite 900
San Juan, PR, 00918
Tel.: (787) 406-8555

S/ Luis C. Marini-Biaggi
Luis C. Marini-Biaggi
USDC No. 222301
E-mail: lmardini@mpmlawpr.com

S/ Ignacio J. Labarca-Morales

Ignacio J. Labarca-Morales

USDC No. 303307

E-mail: ilabarca@mpmlawpr.com

S/ Paula T. De Felice Alejandro

Paula T. De Felice Alejandro

USDC No. 307607

E-mail: pdefelice@mpmlawpr.com